

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No.62432

Richard W. Goode
Dorothy Goode

3220 N. Rolling Road

Respondents

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on July 8, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, 312, 401; Baltimore County Zoning Regulations (BCZR) section 1B01. 1D, failure to cut and maintain all grass, failure to clean the exterior grounds of all trash, junk and debris on residential property zoned DR 5.5 known as 3220 N. Rolling Road, 21244.

On June 19, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Paul Cohen issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$4,400.00 (four thousand four hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on June 9, 2009 requesting removal of junk, trash and debris, and cutting tall grass and weeds. This Citation was issued on June 19, 2009.

B. Photographs in the file show piles of junk and debris, old furniture, toys, an old stove, and trash. This violates prohibitions against the accumulation of junk, trash and debris on residential premises. Court records show that this property is in foreclosure proceedings. Respondents have failed to respond to the County's notices. Re-inspection of the property prior to this Hearing found no improvement.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if the violations are corrected by July 24, 2009. If the Respondent fails to correct the violations, then the full civil penalty shall be imposed.

IT IS FURTHER ORDERED that after July 24, 2009, Baltimore County may enter the property for the purpose of removing all junk, trash, and debris, at the expense of the property owner.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

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IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 8th day of July 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

MZF/jaf